

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1975

Introduced by Assembly Member Fong

February 17, 2010

An act to add Chapter 8.5 (commencing with Section 537) to Division 1 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1975, as amended, Fong. Water charges and meters: multiunit residential structures.

The Water Measurement Law requires every water purveyor to require, as a condition of new water service on and after January 1, 1992, the installation of a water meter to measure water service. That law also requires urban water suppliers to install water meters on specified service connections, and to charge water users based on the actual volume of deliveries as measured by those water meters in accordance with a certain timetable.

This bill, with a certain exception, would require every water purveyor that provides water service to a person residing in a multiunit residential structure *or a mixed use residential and commercial structure*, for which ~~a construction permit has been~~ *the first occupancy permit for a newly constructed building is* issued on or after January 1, ~~2011~~ 2012, to require the installation of meters or submeters on each individual ~~rental dwelling~~ unit as a condition of new water service to that property. The bill would ~~authorize~~ *require* the owner, or ~~operator~~ *his or her agent*, to charge ~~tenants occupants~~ *for water and sewer service* based on the actual volume of water delivered as measured by the water meter or submeter, *plus specified fees for the actual costs of reading the meter*

or submeter and providing billing services and for late payments of charges and fees.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 8.5 (commencing with Section 537) is added to Division 1 of the Water Code, to read:

CHAPTER 8.5. MULTIUNIT-~~RESIDENTIAL~~ STRUCTURES

537. (a) Each water purveyor that sells, leases, rents, furnishes, or delivers water service to ~~a person residing in a multiunit residential structure for which a construction permit has been issued on or after January 1, 2011, or a mixed use residential and commercial structure for which the first occupancy permit for a newly constructed building is issued on or after January 1, 2012,~~ shall require the installation of ~~meters or submeters on a water meter or submeter to measure water supplied to each individual rental dwelling unit as a condition of new water service to that property, except if plumbing configurations with multiple points of entry in high rise structures make the installation of submeters infeasible.~~ *property.*

(b) ~~The owner or operator of the multiunit residential owner, or his or her agent, of a structure described in subdivision (a) may charge tenants for water service shall charge occupants for water and sewer service. This charge shall be based on the actual volume of water delivered to the unit as measured by the meter or submeter installed pursuant to subdivision (a).~~

(c) (1) *The owner, or his or her agent, may charge an administrative fee for the actual cost of reading meters or submeters and providing billing services for purposes of this section. The administrative fee shall not exceed four dollars (\$4) per meter or submeter per month.*

(2) *The owner, or his or her agent, may charge an additional fee for late payments, which shall not exceed ten dollars (\$10) per billing cycle, if the occupant does not pay all charges and fees imposed pursuant to this section in full on or before the due date. The due date for these charges and fees shall be no earlier than*

1 *the 19th day after the date on which the bill for these charges and*
2 *fees is mailed or delivered to the occupant.*

3 *(d) This section does not apply to a structure described in*
4 *subdivision (a) that is greater than four stories in height above*
5 *grade and for which the owner, or his or her agent, demonstrates*
6 *to the satisfaction of the water purveyor that the structure's*
7 *plumbing configuration incorporates multiple points of entry in*
8 *each dwelling unit and renders the installation of submeters*
9 *infeasible.*